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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/772,380

01/29/2001

Manfred Lilge

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29177

7590

05/20/2005

BELL, BOYD & LLOYD, LLC

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EXAMINER

YUN, EUGENE

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/772,380

Applicant(s)

LILGE, MANFRED

Examiner

Eugene Yun

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/24/05</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/22/2004 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kundorf (WO 99/09763 which has the corresponding translation of U.S. Publication No. 6,553,217 B1) in view of Wallenius (US 6,625,268 foreign application FI 974626 with publication date 12/23/1997).

Referring to Claim 1, Kundorf teaches a method for the setup and charge-related billing of a telecommunication connection from a telecommunication line unit of a communication network to a target telecommunication line unit, the method comprising the steps of:

controlling the setup of the telecommunication connection with an intelligent network OP/SP (fig. 1) (also see col. 2, lines 29-35);

providing, via the intelligent network, bits of information required for the charge-related billing PNL (fig. 1);

charging the telecommunication connection at a preference charge rate when the target telecommunication line unit belongs to a previously made selection of target telecommunication line units, and charging the telecommunication connection at a charge rate that is more expensive than the preference charge rate when the target telecommunication line unit does not belong to the previously made selection of target telecommunication line units (see col. 5, lines 44-61).

Kundorf does not teach the intelligent network including a service switching point and a service control point and sending a connection message and a charge message from the service control point to the service switching point. Wallenius teaches the intelligent network including a service switching point and a service control point and sending a connection message and a charge message from the service control point to the service switching point (see fig. 4 and col. 11, lines 1-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Wallenius to said device of Kundorf in order to increase the reliability of communications in intelligent networks.

Referring to Claim 2, Kundorf also teaches querying from a data memory allocated to the intelligent network whether the target telecommunication line unit belongs to the selection of target telecommunication line units (see col. 2, lines 18-23).

Referring to Claim 3, Kundorf also teaches forwarding the bits of information required for the charge related billing to a charge unit BC (fig. 1), which is present in the communication network for the charge billing, after the telecommunication connection has been completed (see col. 2, lines 14-18).

Referring to Claim 4, Kundorf also teaches reducing a prepaid charge credit by the intelligent network by an amount deriving from a duration of the telecommunication connection and one of the preference charge rate and the charge rate that is more expensive than the preference charge rate (see col. 2, lines 23-28).

Referring to Claim 6, Kundorf also teaches the charge message effecting the bits of information required for the charge-related billing to be deposited in the service switching point (see col. 5, lines 18-24).

Referring to Claim 7, Kundorf also teaches the bits of information relating to a beginning and type of the telecommunication connection (see col. 6, lines 28-32).

Referring to Claim 8, Kundorf also teaches additional bits of information about an end of the telecommunication connection deposited in the service switching point after the telecommunication connection has been completed (see col. 9, lines 10-14).

Referring to Claim 9, Kundorf also teaches that upon receipt of the charge message from the SCP, the service switching point sending a further message to a switching center associated with the telecommunication line unit which, in turn, prepares and forwards fee information back to the service switching point after the telecommunication connection has been completed (see col. 8, lines 35-45).

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***Response to Arguments***

4. Applicant's arguments with respect to claims 1-4 and 6-9 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Eugene Yun  
Examiner  
Art Unit 2682

EY

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
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